

**Remarks/Arguments**  
**Status of the Application**

Claims 6-7 and 14-16 have been canceled; claims 1-5, 8, and 17-18 have been amended; and claims 9-13 and 19 withdrawn so that claims 1-5, 8 and 17-18 are pending.

Any amendments made herein have been made without prejudice to Applicants' right to prosecute any cancelled subject matter in a timely filed continuation application.

No new matter has been added.

**Restriction and Election of Invention Requirement**

The Office asserts "[c]laims 1-35 are drawn to more than one inventive concept (as defined by PCT Rule 13) and, accordingly, a restriction is required according to the provision of PCT Rule 13.2." The Office has divided claims 1-35 into the following groups:

**Group I:** Claims 1-5, 8, and 18, which are alleged to be "drawn to compounds of formula I, and compositions thereof...";

**Group II:** Claims 9-10, and 19, which are alleged to be "drawn to various methods of using compounds of formula I...";

**Group III:** Claims 11 and 13, which are alleged to be "drawn to a process of making compounds of formula I ...";

**Group IV:** Claim 12, which is alleged to be "drawn to a process of making compounds of formula III, example 21-19 and compositions thereof ..."; and

**Group V:** Claim 14, which is alleged to be "drawn to a process of making compounds of formula IV, examples 22 and compositions thereof ...";

**Group VI:** Claims 15-16, which are alleged to be "drawn to a compounds of formula IV, and compositions thereof ..."; and

**Group VII:** Claim 17, which are alleged to be "drawn to carbamic/carbamate compounds ...."

Applicants herein elect **Group I** with traverse. Applicants respectfully assert that Claim 17 should be included in Group I as the three compounds claimed in claim 17 are compounds 8, 10 and 17 claimed in claim 5. As claim 5 is included in Group I, Applicants respectfully assert that claim 17 is part of the same inventive concept as the claims of Group I.

As **Groups I** and **VII** are related to **Groups II-IV** as product and process for making or using, Applicants respectfully request in accordance with MPEP § 821.04 that the Office rejoin

Application No. 10/596,850  
Response Dated April 30, 2008  
Reply to Restriction Requirement Mailed April 4, 2008  
Atty Docket No: 101259-1P US

the withdrawn process claims when the product claim from which such process claims depend is found allowable.

### **SUMMARY**

In view of the foregoing amendments and remarks, Applicants respectfully submit the application is in condition for allowance and respectfully solicit a Notice of Allowance. In order to expedite disposition of this case, the Office is invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. Although Applicants believe no fees other than those accompanying this response are due, the Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment to deposit account No. 26-0166, referencing Attorney Docket No. 101259-1P US.

Respectfully submitted,

/ Jacqueline M. Cohen /

Name: Jacqueline M. Cohen

Dated: April 30, 2008

Reg. No.: 51,574

Phone No.: 302-885-4269

Intellectual Property, Patents, AstraZeneca

1800 Concord Pike

Wilmington

DE-19850-5437